

EXPLANATION OF NOTICE OF REGISTRATION OF ORDER (MODEL)

PURPOSE OF THE FORM: When a tribunal registers an order, section 605(a) of UIFSA mandates that the registering tribunal notify the nonregistering party of the registration. This form can be designed to be computer-generated.

HEADING/CAPTION:

- The header information includes name of obligee, name of obligor, case number assigned by the registering tribunal, date the form is generated, and date of registration.
- It also allows specification of name and address of the nonregistering party to whom the notice will be sent. UIFSA §605(a) requires such notice to be issued, but does not specify any time frame—in relation to date of registration—within which this must be accomplished.

MAIN BODY OF FORM:

- Item 1 allows for specification of what type of order is being registered, the name of the tribunal/place/State in which the order was originally issued, and the reason/purpose for the registration.
- Item 2—be sure to attach copies of documents submitted by State/agency/party that is seeking registration.
- Item 4 allows for fill-in of time to meet requirements of UIFSA §605(b)(2). UIFSA §605 allows the time frame to connect to either date of mailing or date of personal service. States will need to consider whether "date of mailing comports with due process—what proof of receipt would be needed? If the item is returned as undeliverable, it may need to be reissued/redated. If State law allows notice by first-class mail & a presumption of receipt, then that may suffice. Personal service may be accomplished via certified mail, return receipt requested such that deadline for requesting hearing can be triggered by date of signed receipt. Without some consistency or clarification of important dates, States will be contending with requests for hearing outside of time range, and also may have difficulty establishing a tickler system to note expiration of the period for requesting a hearing. The number of days depends on State law.
- Items 3, 5, 6, and 7 enunciate the effect of the registration and the non-registering party's responsibilities if he/she chooses to contest the registration.
- Item 8 allows specification/notice to non-registering party about where to make payments. This will facilitate proper remittance, and prevent confusion if original registered order specifies a different payment remittance point. Furthermore, in many instances, no contest to the registration will be raised, so the registered order will be confirmed by "operation of law" and not necessitate additional paperwork or mailing of documents/orders to the nonregistering party. The Notice of Registration should contain any information the nonregistering party needs to have assuming that in any case where a contest does not occur, this will be the only document issued to the nonregistering party concerning the registration.